

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ADNAN UMAIR JANJUA-VESSEL and
UZMA JANJUA-VESSEL,

Plaintiffs,

v.

JAY BRAY, *et al.*,

Defendants.

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Civil Action No. 4:23-cv-00766
Judge Mazzant/Judge Davis

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 25, 2024, the Magistrate Judge entered a Report and Recommendation (Dkt. #75) that Defendant Barrett Daffin Frappier Turner & Engel, LLP's ("Barrett Daffin") Motion to Dismiss (Dkt. #15) be denied as moot, Defendants Nationstar Mortgage, LLC d/b/a Mr. Cooper, Jay Bray, and Christopher Marshall's (the "Nationstar Defendants") Motion to Dismiss (Dkt. #13) be granted, and Defendant Barrett Daffin's Amended Motion to Dismiss (Dkt. #57) be granted.

Having received the report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendant Barrett Daffin's Motion to Dismiss (Dkt. #15) is hereby **DENIED as moot**, the Nationstar Defendants' Motion to Dismiss (Dkt. #13) is hereby **GRANTED**, and Defendant Barrett Daffin's Amended Motion to Dismiss (Dkt. #57) is hereby **GRANTED**.

It is **FURTHER ORDERED** that Plaintiffs Adnan Umair Janjua-Vessel's and Uzma Janjua-Vessel's claims against Barrett Daffin under the Fair Credit Reporting Act ("FCRA") and against the Nationstar Defendants under the Fair Debt Collection Practices Act ("FDCPA") are **DISMISSED WITH PREJUDICE**.

It is **FURTHER ORDERED** that Plaintiffs Adnan Umair Janjua-Vessel's and Uzma Janjua-Vessel's claims against the Nationstar Defendants under the FCRA and against Defendant Barrett Daffin under the FDCPA are **DISMISSED WITHOUT PREJUDICE**. Plaintiffs Adnan Umair Janjua-Vessel and Uzma Janjua-Vessel have fourteen (14) days after the entry of this Memorandum Adopting Report and Recommendation to file an amended complaint regarding the claims against the Nationstar Defendants under the FCRA and against Defendant Barrett Daffin under the FDCPA. If Plaintiffs Adnan Umair Janjua-Vessel and Uzma Janjua-Vessel fail to timely file an amended complaint, Plaintiffs' claims against the Nationstar Defendants under the FCRA and against Defendant Barrett Daffin under the FDCPA will be dismissed with prejudice.

IT IS SO ORDERED.

SIGNED this 23rd day of September, 2024.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE